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#3
Attorney Docket No. 12905

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I verily believe that I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **Shaped Microparticles for Pulmonary Drug Delivery**, the specification of which was filed on November 30, 2001 as Application Serial No. 10/020,464 and was amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Provisional Application Number
60/250,717

Filing Date
December 2, 2000

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Barry S. Bissell, Registration No. 27,062; C. Michael Gegenheimer, Registration No. 33,387; William B. Richards, Registration No. 44,301, Klaus H. Wiesmann, Registration No. 30,437; and Robert L. Zieg, Registration No. 20,500 of Battelle Memorial Institute, 505 King Avenue, Columbus, Ohio 43201-2693 and Patricia A. Coburn, Registration No. 28,594, of Battelle Pulmonary Therapeutics, Inc., 1801 Watermark Drive, Suite 100, Columbus, Ohio 43215-1037.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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